IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

SECOND APPEAL NO.954 OF 2006

Shri Laxman Shripati Shinde, .. Appellant.
Vs
Shri Ramchandra Shripati Shinde, .. Respondent.

Mr A.V.Anturkar, for the appellant.
Mr Ajit Kenjale, for respondent nos 1 to 3.

CORAM : D.B.BHOSALE,J.
DATE : 09.01.2007.

PC:

1. Heard the learned counsel for the parties.

2. This appeal is directed against the findings of fact recorded by the courts below that the property in dispute is the joint family property and not self-acquired property as claimed by the appellant. Admittedly, the property in question was purchased in 1955. The case set up by the appellant was that he was working in 1952-1953 and that he purchased the suit property in 1955 from his personal income. However, there is an unequivocal admission given by the appellant in his cross examination that he started working in 1962 and in view thereof both the courts below rejected the claim of the appellant and held that the suit property is the joint family property. The submission of Mr Anturkar, learned counsel for the appellant, that the suit property is self acquired property of the appellant

and that the material on record in support thereof has not been considered in proper perspective, must be rejected. Considering that there are concurrent findings of fact recorded by the courts below and as I find sufficient material on record to sustain those findings and considering the extremely limited jurisdiction of this Court under section 100 of C.P.C to disturb the findings of fact, this appeal deserves to be dismissed. Order accordingly.

(D.B.BHOSALE,J.)